

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

THURSDAY, THE TWENTY NINTH DAY OF JUNE
TWO THOUSAND AND SIX

PRESENT

**THE HON'BLE MR JUSTICE J.CHELAMESWAR
AND
THE HON'BLE MR JUSTICE D.APPA RAO**

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WRIT PETITION No.13062 OF 2006

Between:

M/s.Berger Paints India Limited, rep. by
Its Administrative Officer Mr.Mohd.Akram Pasha.

..... PETITIONER

AND

The Assistant Commissioner (CT) LTU,
Charminar Division, Hyderabad,
and others.

....RESPONDENTS

THE HON'BLE MR JUSTICE
J.CHELAMESWAR
AND
THE HON'BLE MR JUSTICE
D.APPA RAO

WRIT PETITION No.13062 OF 2006

O R D E R
(Per Sri Justice J.Chelameswar)

Aggrieved by an order of the 3rd respondent dated 16.02.2006 by which the 3rd respondent rejected the application of the petitioner for stay of recovery of tax pursuant to the decision of the 2nd respondent in determining his tax liability of Rs.33,20,755/- for the assessment year 1997-1998, the present writ petition is filed.

It appears that aggrieved by the decision of the 2nd respondent, the petitioner preferred an appeal before the Sales Tax Appellate Tribunal and pending the appeal, the petitioner prayed the 3rd respondent not to recover the tax.

Heard the learned Government Pleader.

In the circumstances, we are of the opinion that the writ petition can be disposed of at the admission stage by directing the petitioner to pay an amount of Rs.5,00,000/- within a period of six weeks from today and on such payment, the balance of the tax due with reference to the above-mentioned assessment year shall not be recovered pending final decision by the Tribunal.

The writ petition is accordingly disposed of at the admission stage itself. No costs.

JUSTICE J.CHELAMESWAR

JUSTICE D.APPA RAO

29TH JUNE, 2006
PGS

THE HON'BLE MR JUSTICE
J.CHELAMESWAR
AND
THE HON'BLE MR JUSTICE
D.APPA RAO

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WRIT PETITION No.13062 OF 2006
(Per Sri Justice J.Chelameswar)

29TH JUNE, 2006